

In the United States Patent and Trademark Office

In re the application of: Brodsky)	
)	
Filed: 12/14/2000)	Group Art Unit: 2153
)	
For: Method Apparatus and)	Examiner: Yasin M. Barqadle
Computer Program Product)	
to Crawl a Web Site)	
)	
Application No. 09/736,349)	
)	
Appellant's Docket:)	
AUS920000510US1)	

REPLY BRIEF

On page 3 of the Examiner's Answer of October 2, 2009, the first ground of rejection recites claims including claims 10 and 18, which is how the rejection was stated in the final Office action of September 7, 2006. It is clearly an inadvertent error to include claims 10 and 18 in the first ground of rejection. Neither the final Office action nor the Examiner's Answer actually addresses those particular claims in the first ground of rejection. Appellant requests that Board of Patent Appeals and Interferences proceed to consider the arguments on the merits with regard to the other claims that are properly in dispute and merely set aside this inadvertent error in the Examiner's Answer.

To reiterate regarding the claims in the present appeal, the claims appealed include claims 1, 2, 9, 10, 17, and 18. Also, claims 3-7, 11-15 and 19-23 are declared to be "appealed" in the Appeal Brief of June 22, 2009, in case the Examiner or the Board of Patent Appeals and Interferences considers this necessary in order for the Appeal Brief to be in proper form or for those claims to remain pending.¹

¹ Claims 7, 15 and 23 remain allowed, but pending. Claims 3-6, 11-14 and 19-22 also remain, but are unallowed. Claims 3-6, 11-14 and 19-22 depend on one or more of claims 1, 2, 9, 10, 17, and 18. Claims 3-6, 11-14 and 19-22 depend on one or more of claims 1, 2, 9, 10, 17, and 18. Appellant does not separately argue any of claims 3-6, 11-14 or 19-22, but submits that they are allowable at least because they depend on allowable claims. MPEP 2143.03 (citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)).

REQUEST FOR ACTION

Appellant requests that Board of Patent Appeals and Interferences proceed to consider the arguments on the merits with regard to the other claims that are properly in dispute, merely set aside this inadvertent error in the Examiner's Answer and pass all the pending claims of the present application to issuance.

Respectfully submitted,

By

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